



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Consider Resolution Establishing an Area of Benefit and Reimbursable Costs **(\$30,000)** for Acquisition of Property Located at **14320 North Lower Sacramento Road (APN 058-140-13)**

MEETING DATE: June **1, 2005**

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council conduct a Public Hearing to consider a resolution establishing an area of benefit and reimbursable costs (\$30,000) for acquisition of property located at 14320 North Lower Sacramento Road (APN 058-140-13).

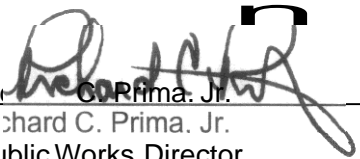
BACKGROUND INFORMATION: The construction of the Century Boulevard/Lower Sacramento Road intersection is included in the City's Lower Sacramento Road (Harney Lane to Kettleman Lane) street improvement project. In order to facilitate installation of curb returns and signal improvements at their ultimate locations and prevent sight obstruction hazards, it is necessary to acquire street and temporary construction easements from the adjacent property to the north (APN 058-140-13). The locations of the easements are shown on Exhibit A.

The property owner is willing to provide the necessary street and temporary construction easements in exchange for a payment of \$30,000. Council approved the expenditure of \$30,000 for the easement acquisitions during closed session at the April 20, 2005, Council meeting. The Council's decision regarding the expenditure was reported by the City Attorney during the following open session of the Council meeting. As a condition of Council approval for the expenditure, an area of benefit covering the parcel known as 14320 North Lower Sacramento Road (APN 058-140-13) is to be established to allow reimbursement to the City of the acquisition costs. The reimbursement will be collected in conjunction with the filing of the first application for development-related activity on the property. Development-related activities shall include, but not be limited to, the approval of a growth management plan, filing of a final subdivision or parcel map, issuance of a building permit or connection to City utility facilities.

In conformance with LMC 16.40, staff recommends that Council adopt a resolution to establish an area of benefit and reimbursable costs for the parcel known as 14320 North Lower Sacramento Road (APN 058-140-13) to recover the acquisition cost of street and temporary construction easements necessary to allow the installation of the above-mentioned street improvements. The reimbursable costs are \$30,000. Pursuant to LMC §16.40.50.A.3. the reimbursable amount shall be recalculated annually to include an amount attributable to interest, using the Engineering News Record (ENR) 20 Cities Construction Cost Index. Similar adjustments to the reimbursable costs will be made each January until payment is received.

FISCAL IMPACT: No change.

FUNDING AVAILABLE: Not applicable.


Richard C. Prima, Jr.
Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer
RCP/SAW/pmf
Attachment
cc: Senior Civil Engineer Welch
M. Bill Peterson

Associate Civil Engineer Lindseth

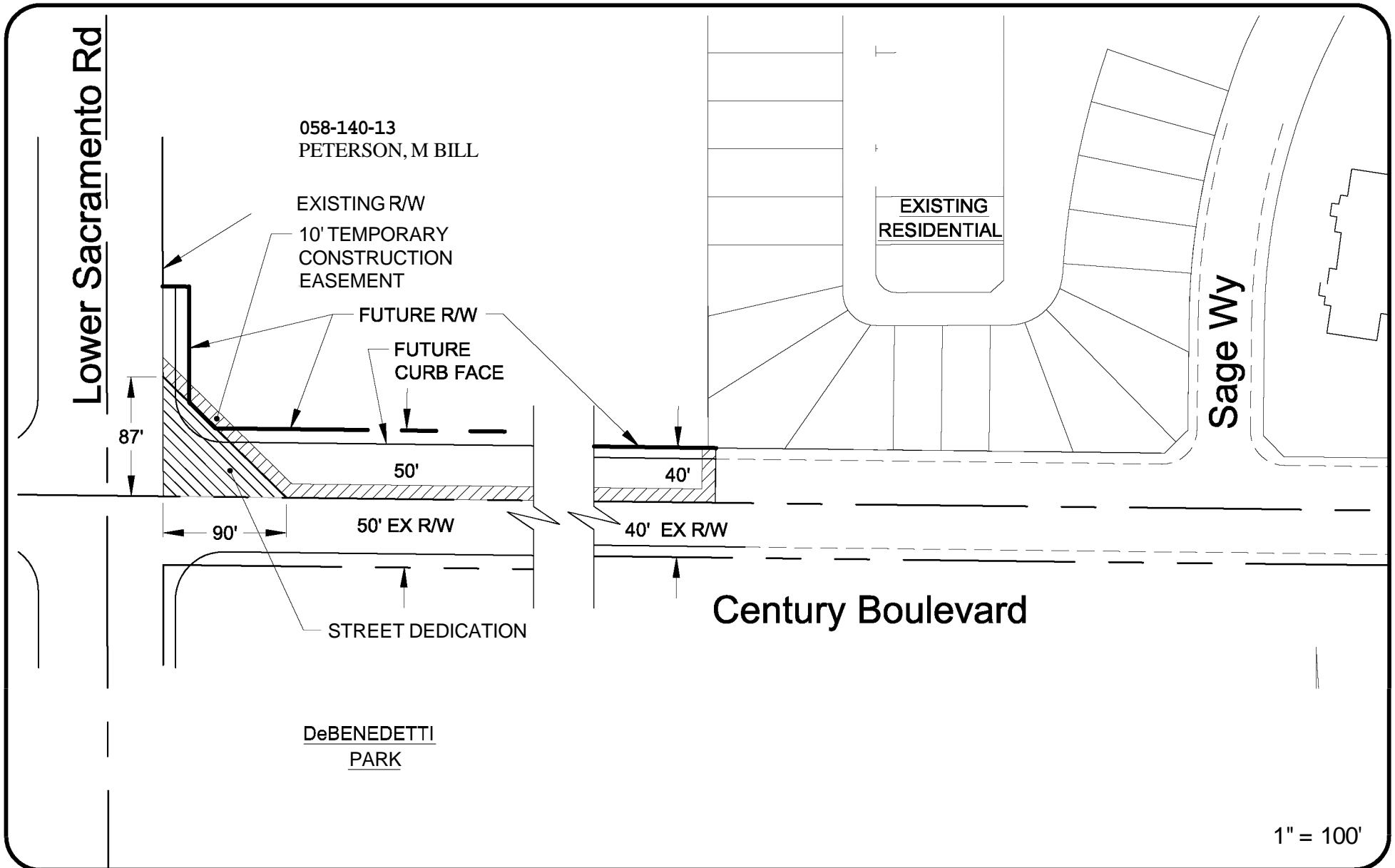
APPROVED: 
Blair King, City Manager



CITY OF LODI

PUBLIC WORKS DEPARTMENT

Exhibit A



When Recorded, Return to:
City of Lodi City Clerk's Office
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 2005-114

A RESOLUTION OF THE LODI CITY COUNCIL
ESTABLISHING AN AREA OF BENEFIT AND
REIMBURSABLE COSTS FOR ACQUISITION OF
PROPERTY LOCATED AT 14320 NORTH LOWER
SACRAMENTO ROAD (APN 058-140-13)

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WHEREAS, the construction of the Century Boulevard/Lower Sacramento Road intersection is included in the City's Lower Sacramento Road (Harney Lane to Kettleman Lane) street improvement project; and

WHEREAS, in order to facilitate installation of curb returns and signal improvements at their ultimate locations and prevent sight obstruction hazards, it is necessary to acquire street and temporary construction easements from the adjacent property to the north (APN 058-140-13) as shown on Exhibit A; and

WHEREAS, the property owner is willing to provide the necessary street and temporary construction easements in exchange for a payment of \$30,000, which was approved by the City Council at the April 20, 2005, meeting; and

WHEREAS, as a condition of Council approval for the expenditure, an area of benefit covering the parcel known as 14320 North Lower Sacramento Road (APN 058-140-13) is to be established to allow reimbursement to the City of the acquisition costs at the time of development of that parcel; and

WHEREAS, in conformance with LMC 16.40, staff recommends that Council adopt a resolution to establish an area of benefit and reimbursable costs for the parcel known as 14320 North Lower Sacramento Road (APN 058-140-13) to recover the acquisition cost of street and temporary construction easements necessary to allow the installation of the above-mentioned street improvements.

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council that:

- a) The City Council hereby establishes an area of benefit and reimbursable costs to recover the acquisition cost of street and temporary construction easements necessary to allow the installation of the above-mentioned street improvements.
- b) The reimbursement will be collected in conjunction with the filing of the first application for development-related activity on the property. Development-related activities shall include, but not be limited to, the approval of a growth management plan, filing of a final subdivision or parcel map, issuance of a building permit, or connection to City utility facilities.

- c) The reimbursable amount is \$30,000.
- d) Pursuant to LMC §16.40.50.A.3, the reimbursable amount shall be recalculated annually to include an amount attributable to interest, using the Engineering News Record (ENR) 20 Cities Construction Cost Index. Similar adjustments to the reimbursable costs will be made each January until payment ~~is~~ received.

Dated: June 1, 2005

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I hereby certify that Resolution No. 2005-114 was passed and adopted by the Lodi City Council in a regular meeting held June 1, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce,
and Mayor Beckman

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



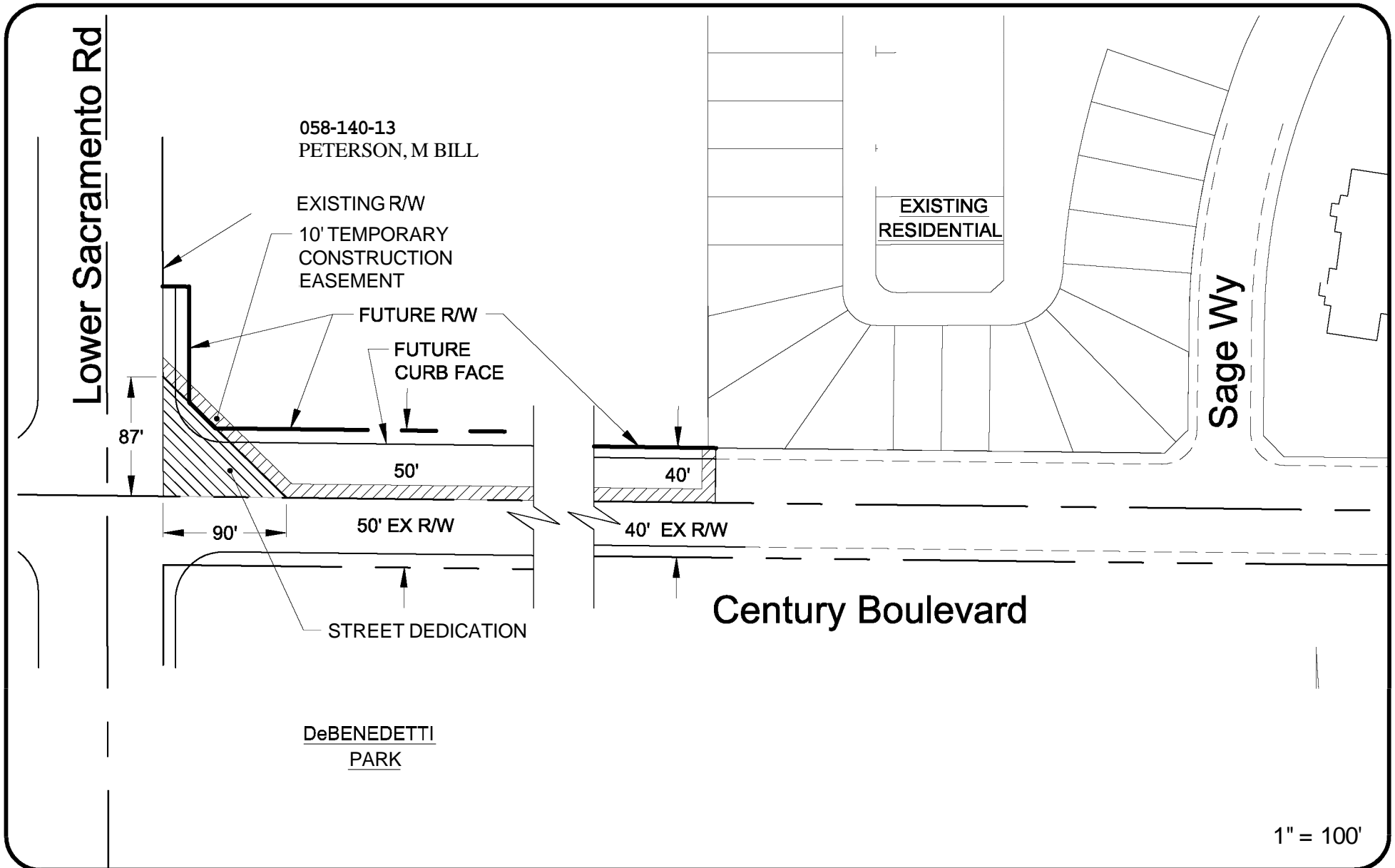
Susan J. Blackston
City Clerk



CITY OF LODI

PUBLIC WORKS DEPARTMENT

Exhibit A





CITY OF LODI
Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: June 1, 2005

Time: 7:00 p.m.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, **June 1, 2005**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider ~~the~~ following matter:

- a) a resolution establishing an Area of Benefit and Reimbursable Costs (\$30,000) for Acquisition of Property Located at 14320 North Lower Sacramento Road (APN 058-140-13).

Pursuant to Lodi Municipal Code Section 16.40.050 information regarding this item is attached to this notice. Additional information may be obtained in ~~the~~ office of the Public Works Department, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may ~~be~~ made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone ~~else~~ raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to ~~the~~ Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston
City Clerk

Dated: May 4, 2005

Approved as to form:

D. Stephen Schwabauer
City Attorney



DECLARATION OF POSTING

**SET PUBLIC HEARING FOR JUNE 1, 2005, TO CONSIDER A RESOLUTION ESTABLISHING
AN AREA OF BENEFIT AND REIMBURSABLE COSTS (\$30,000) FOR ACQUISITION OF
PROPERTY LOCATED AT 14320 NORTH LOWER SACRAMENTO ROAD (APN 058-140-13)**

On Friday, May 6, 2005, in the City of Lodi, San Joaquin County, California, a copy of a Notice of Public Hearing to consider a resolution establishing an Area of Benefit and Reimbursable Costs (\$30,000) for Acquisition of Property Located at 14320 North Lower Sacramento Road (APN 058-140-13), (attached hereto, marked Exhibit "A"), was posted at the following four locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 6, 2005, at Lodi, California

ORDERED BY:

**SUSAN J. BLACKSTON
CITY CLERK**

Jacqueline L. Taylor, CMC
Deputy City Clerk

Kari J. Chadwick
Administrative Clerk

Jennifer M. Perrin, CMC
Deputy City Clerk



DECLARATION OF MAILING

SET PUBLIC HEARING FOR JUNE 1, 2005, TO CONSIDER A RESOLUTION ESTABLISHING AN AREA OF BENEFIT AND REIMBURSABLE COSTS (\$30,000) FOR ACQUISITION OF PROPERTY LOCATED AT 14320 NORTH LOWER SACRAMENTO ROAD (APN 058-140-13)

On May 6, 2005, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, an envelope with certified postage prepaid thereon, containing a notice to set public hearing for June 1, 2005, to consider a resolution establishing an Area of Benefit and Reimbursable Costs (\$30,000) for Acquisition of Property Located at 14320 North Lower Sacramento Road (APN 058-140-13), marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 6, 2005, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON
CITY CLERK, CITY OF LODI**

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK

KARI J. CHADWICK
ADMINISTRATIVE CLERK

CITY OF LODI

CITY HALL, 221 W. PINE ST.
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

Public Works Department

Notice of Public Hearing

**M BILL PETERSON
PO BOX 473
LOCKEFORD CA 95237**



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Set Public Hearing for **June 1, 2005**, to Consider Resolution Establishing an Area of Benefit and Reimbursable Costs (\$30,000) for Acquisition of Property Located at **14320 North Lower Sacramento Road (APN 058-140-13)**

MEETING DATE: May **4, 2005**

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council set a Public Hearing for June 1, 2005, to consider a resolution establishing an area of benefit and reimbursable costs (\$30,000) for acquisition of property located at 14320 North Lower Sacramento Road (APN 058-140-13).

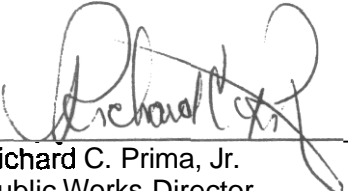
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In conformance with LMC 16.40, staff recommends that Council set a public hearing to establish an area of benefit and reimbursable costs for the parcel known as 14320 North Lower Sacramento Road (APN 058-140-13) to recover the acquisition cost of street and temporary construction easements necessary to allow the installation of the above-mentioned street improvements. The reimbursable costs are \$30,000. Pursuant to LMC §16.40.50.A.3, the reimbursable amount shall be recalculated annually to include an amount attributable to interest, using the Engineering News Record (ENR) 20 Cities Construction Cost Index. Similar adjustments to the reimbursable costs will be made each January until payment is received.

FISCAL IMPACT: No change.

FUNDING AVAILABLE: Not applicable.



Richard C. Prima, Jr.
Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer
RCP/SAW/pmf
Attachment

cc: Senior Civil Engineer Welch
M. Bill Peterson

Associate Civil Engineer Lindseth

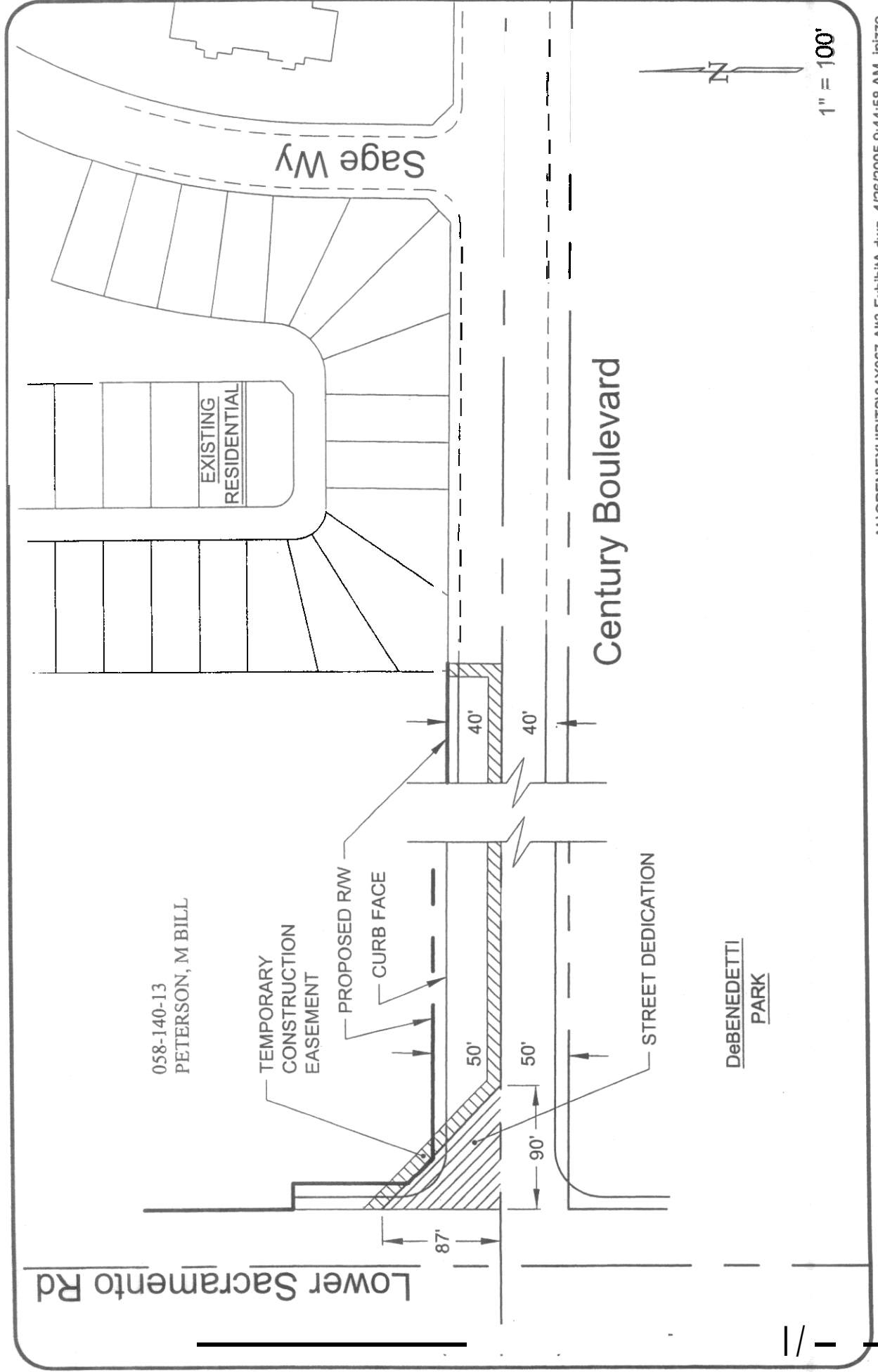
APPROVED: 
Blair King, City Manager



CITY OF LODI

PUBLIC WORKS DEPARTMENT

Exhibit A



CITY COUNCIL

JOHN BECKMAN, Mayor
SUSAN HITCHCOCK
Mayor Pro Tempore
LARRY D. HANSEN
BOB JOHNSON
JOANNE L. MOUNCE

CITY OF LODI

PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710
EMAIL pwdept@lodi.gov
<http://www.lodi.go>;

BLAIR KING
City Manager
SUSAN J. BLACKSTON
City Clerk
D. STEVEN SCHWABAUER
City Attorney
RICHARD C. PRIMA, JR.
Public Works Director

May 27, 2005

M. Bill Peterson
P.O. Box 473
Lockeford, CA 95237

SUBJECT: Public Hearing to Consider Resolution Establishing an Area of Benefit and Reimbursable Costs (\$30,000) for Acquisition of Property Located at 14320 North Lower Sacramento Road (APN 058-140-13)

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, June 1, 2005. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

The Council will conduct a public hearing on this item. You are welcome to attend and speak at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Susan Blackston, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Sharon Welch, Senior Civil Engineer, at 333-6800, extension 2659.



for : Richard C. Prima, Jr.
Public Works Director

RCP/pmf

Enclosure

cc: City Clerk